



**CALIFORNIA STATE BOARD OF EDUCATION**    **ITEM #** 13

**NOVEMBER 2003 AGENDA**

SUBJECT	X	ACTION
	X	INFORMATION
		PUBLIC HEARING
No Child Left Behind (NCLB) Act of 2001 – Including, but not limited to, update on Consolidated State Application		

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**Recommendation:**

Hear an update on current NCLB activities and any NCLB Liaison Team recommendations.  
Take action as deemed necessary and appropriate.

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**Summary of Previous State Board of Education Discussion and Action**

This standing item allows CDE and SBE staff to brief the Board on timely topics related to NCLB.

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**Summary of Key Issue(s)**

**Phase II Data Release for Adequate Yearly Progress (AYP):** Phase I AYP data, containing results for two of the four AYP criteria (*Annual Measurable Objectives* in English-language arts and mathematics, and *Participation Rates*) were released in August 2003. The results for the remaining AYP criteria. (*API as Additional Indicator* and *Graduation Rates*) are released in Phase II.

**AYP Appeals:** Districts can appeal data from both Phase I and Phase II. Appeals must be based on substantive reason, statistical error, or participation rate (high schools and small schools). Districts have 10 working days to file an appeal after data are released, and receive final determination on the appeal within another 10 working days. (See attachment)

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**Fiscal Analysis (as appropriate)**

N/A

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**Attachment(s)**

Attachment 1: [Information on Phase I AYP Appeal Decisions](#)

# Title 1 Program Improvement Phase I AYP Appeal Decisions\*

<b>Total Phase I Appeals</b>	<b>193</b>
– Approved	52
– Denied	101
– Deferred	39
– Pending	1

\*As of October 9, 2003

# Appeal Process for PI Schools

- A district may appeal on behalf of a school.
- Appeal must be based on substantive reason or statistical error, or participation rate (high schools and small schools)
- 10 working days to file appeal after AYP release and 10 working days to receive final determination

# Basis for PI Appeals

- Statistical Error
  - District submitted inaccurate data to test publisher
  - CDE incorrectly calculated % proficient or participation rate
- Substantive Reason
  - Closure of school/uncontrollable circumstances
- Participation Rate
  - High Schools
  - Small Schools